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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PAOLA DELI GROCERY CORP.,

Plaintiff(s),

-against-

UNITED STATES OF AMERICA and UNITED
STATES DEPARTMENT OF AGRICULTURE,
Defendant(s)
-----X

DOCKET NO. 2018 cv

FILED 11-15-2019

**ORDER TO SHOW CAUSE FOR
PRELIMINARY INJUNCTION
AND TEMPORARY
RESTRAINING ORDER**

Upon the affirmation of BENJAMIN SHARAV, Law Office of VICTOR J. MOLINA, attorney for plaintiff, affidavit of CARLOS LUIZ MARTINEZ, President of plaintiff corporation, sworn to on November 13, 2019 attached exhibits, including Final Agency Decision delivered on October 17, 2019, initial charges dated June 3, 2019 and denial letter from plaintiff sent on June 17, 2019, and upon the copy of the complaint hereto annexed, it is

ORDERED, that the above named defendant show cause before a motion term of this Court, at Room _____, United States Courthouse, 500 Pearl Street, in the, county of New York, City, and State of New York, on _____, 2019, at _____ o'clock in the _____ noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendant during the pendency of this action from disqualifying or suspending the plaintiffs from participating in the Supplemental Nutritional Assistance Program (SNAP) and receiving payments from the U.S. Department of Agriculture for supplying food products to recipients enrolled in the program;

and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of plaintiffs application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P. the defendant is temporarily restrained and enjoined from invoking and enforcing its scheduled disqualification of plaintiffs from the SNAP program;

and it is further

✓ ORDERED that security in the amount of \$0.00 will be posted by plaintiffs;

and it is further

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ORDERED that personal service of a copy of this order and annexed affidavit upon the defendant or its counsel at United States Attorney's Office, Southern District of New York, 86 Chambers Street / 3rd Floor, New York, NY 10007 on or before

✓ _____, 2018, shall be deemed good and sufficient service thereof.

DATED: New York, N.Y

ISSUED: 11/15/19

The foregoing application for an order to show cause and TRO is denied as moot in light of the Government's consent to a stay (see DE # 4)

[Signature]

U.S. D.J.

ngj